

Fiscal Services Division
Legislative Services Agency
Fiscal Note

SF 2319 - Illegal Dumping Fines (LSB 5431 SV.1)

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Fiscal Note Version – SF 2319, as Amended by House Amendment S-5202

Description

Senate File 2319, as Amended by House Amendment S-5202, increases the fines for littering and the illegal disposal of solid waste and specifies how the increased fine revenue will be deposited. Fine increases include:

- Increases the civil penalty for illegally discarding solid waste from \$500 to \$1,000.
- Increases the fine for littering or highway littering from \$35 to \$70.
- Increases the fine for littering grounds from \$15 to \$30.

The House Amendment changes the distribution of the civil penalty for discarding solid waste. Originally, the civil penalty fines would be deposited into the General Fund with 50.0% appropriated to the Department of Transportation (DOT) for cleaning up litter and 50.0% to the Department of Natural Resources (DNR) for the Solid Waste Alternatives Program. The Amendment appropriates 50.0% to the Department of Transportation (DOT) for cleaning up litter and 50.0% to the general fund of the county where the violation occurred.

The littering penalty fines will be deposited into the General Fund with 50.0% appropriated to the DOT for cleaning up litter and 50.0% will remain in the General Fund.

Assumptions

1. The DNR reported \$88,000 was assessed in civil penalties for illegal dumping during FY 2005, and \$30,000 was collected.
2. The Criminal and Juvenile Justice Planning Division in the Department of Human Rights reported there were 270 convictions for littering, 53 convictions for ground littering, and three convictions for highway littering.

Correctional Impact

The correctional impact of SF 2319, as Amended, is expected to be minimal.

Fiscal Impact

Based on the FY 2005 convictions, the estimated fiscal impact of SF 2319, as Amended by House Amendment S-5202, is an increase of approximately \$49,000 per year to the DOT and \$44,000 per year to the counties, and a decrease of \$93,000 to the General Fund.

Sources

Attorney General
Department of Human Rights, Criminal and Juvenile Justice Planning Division
Department of Transportation
Department of Natural Resources

/s/ Holly M. Lyons

April 18, 2006

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.
